

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FRIENDS OF THE EAST FORK and
FISH FIRST,

Plaintiffs,

v.

ROBERT LOHN, et al.,

Defendants.

CASE NO. C05-189JLR

ORDER

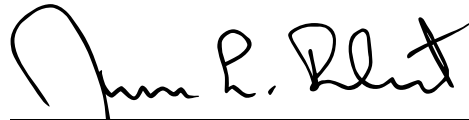
This matter comes before the court on the motion of J.L. Storedahl & Sons, Inc. To intervene as a defendant in this action pursuant to Fed. R. Civ. P. 24. The court, having considered the motion, the pleadings submitted by the parties, including the argument of counsel, and being fully advised, hereby ORDERS as follows:

1. The motion of J.L. Storedahl & Sons, Inc. to intervene as a defendant is GRANTED in part and DENIED in part. Storedahl may not intervene in the liability portion of Plaintiffs' National Environmental Policy Act (NEPA) claims. Kootenai Tribe of Idaho v. Veneman, 313 F.3d 1094, 1108 (9th Cir. 2002). Storedahl may intervene as a defendant regarding the balance of Plaintiffs' claims, including any injunctive relief phase of Plaintiffs' NEPA claims. Wetlands Action Network v. United States Army

1 Corps of Eng'rs, 222 F.3d 1105 (9th Cir. 2000); Forest Conservation Council v. United
2 States Forest Serv., 66 F.3d 1489 (9th Cir. 1995).

3 2. Storedahl shall file an answer consistent with this order no later than
4 May 27, 2005.

5 Dated this 18th day of May, 2005.

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8 JAMES L. ROBART
9 United States District Judge